

Pg. 1 of 4

RECEIVED THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

2008 MAR 27 3:53  
DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

ALONZO AUSTIN

Plaintiff,

v.

CITY OF TUSKEGEE et.al.,

Defendants

CIVIL ACTION NO. 3:07-CV-754-MHT

PLAINTIFF ALONZO AUSTIN, MOTION FOR  
A PROTECTIVE ORDER

COMES NOW, Plaintiff, ALONZO AUSTIN, Pursuant to Federal Rule of Civil Procedure 26(c)(1) and respectfully Moves this Honorable Court for the entry of a protective order that the pending discovery or disclosure not be had on the 28th day of March, 2008, at the Law Office of NIX, HOLTSFORD, GILLIAND, HIGGINS & HATSON PC. 4001 Carmichael Road, Suite #300, Montgomery AL. 36106. THE DEFENDANTS, CITY OF TUSKEGEE et.al., Legal Counsel.

IN Support of the foregoing Motion Plaintiff hereto, annexes and by this reference, incorporates herein the following Memorandum

Pg 2 of 4

MEMORANDUM IN SUPPORTI. FACTS

ON March 25, 2008, Document # 40-1 PG. 1, 2, this Honorable Court, Order as follows after the Court heard oral argument on the Plaintiff Motion to Compel (doc. #31), and the defendants Motion to Dismiss for want of prosecution (doc #29).

1. That plaintiff's Motion to Compel be DENIED.
2. That defendants' Motion to DISMISS be treated as a motion for Sanctions which was GRANTED and as such plaintiff, was order over his Objections to appear for his deposition at 9:00 am on Friday March 28, 2008, at the Montgomery AL. office of the defendants' Counsel, with the deposition to be taken in accordance with the provisions of FED. R. CIV. P. 30.

II. THE LAW.

FED. R. CIV. P. 30(a)(2), provides

PG. 3 of 4

A party ~~must~~ obtain Leave of Court, which shall be granted to the extent consistent with the principles stated in Rule 26(b)(2), if the person to be examined is confined in prison or if, without the written stipulation of the parties.

IN Light of the foregoing Plaintiff's therefore by its instant Motion, respectfully request that this Honorable Court grant the relief requested as there are NO written stipulation of the parties required by Rule.

Respectfully Submitted,  
~~Alonzo Austin Prose~~  
by. ~~Alonzo Austin Prose~~  
ALONZO AUSTIN  
1321 Oliver-Carlis Rd.  
Tuskegee, AL 36083  
Ph #. (334) 727-5476

Pg 4 of 4

CERTIFICATE OF SERVICE

I do hereby certify that I have  
Served copies of the foregoing  
Documents up the Defendants

CITY OF TUSKEGEE et, al.

% NIX, HOLTSFORD; GILLIAND, HIGGINS + HILSON P.C.

P.O. Box 4128, FAX# (334) 215-7101

Montgomery, AL. 36103-4128

by depositing same in the U.S. mail  
Postage Prepaid ~~on~~ by FedEx TRANSMISSION  
on this day March 27, 2008.

Alonzo Austin Pro Se  
~~by Alonzo Austin Pro Se~~

ALONZO AUSTIN

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